

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

STEVEN K. SMITH,

Plaintiff,

v.

BIGGE CRANE & RIGGING, CO., et al.,

Defendants.

Case No.: C 05-2049 PVT

**ORDER RE STIPULATION TO SET  
ASIDE DEFAULT AS TO DEFENDANT  
BIGGE CRANE & RIGGING CO.**

On July 5, 2005 Plaintiff filed a Request t for Entry of Default as to Defendant Bigge Crane & Rigging Co.<sup>1</sup> On July 6, 2005, Plaintiff and Defendant Bigge Crane & Rigging Co. filed a Stipulation to Set Aside Default as to Defendant Bigge Crane & Rigging Co., despite the fact that no default has yet been entered. Based on the file herein,

IT IS HEREBY ORDERED that the parties' stipulation shall be deemed to be a withdrawal by Plaintiff of his Request for Entry of Default as to Defendant Bigge Crane & Rigging Co. The clerk of the court shall not enter default against Defendant Bigge Crane & Rigging Co. The parties have stipulated that Defendant Bigge Crane & Rigging Co. shall file a responsive pleading no later than July 15, 2005. *See* Civ. L.R. 6-1(a).

Dated: 7/7/05

/s/ Patricia V. Trumbull  
PATRICIA V. TRUMBULL  
United States Magistrate Judge

<sup>1</sup> The holding of this court is limited to the facts and the particular circumstances underlying the present motion.